

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

JOHNNY L. BACA,

Plaintiff,

v.

No. CIV-13-0154 JCH/LAM

CAROLYN W. COLVIN, Acting Commissioner
of the Social Security Administration,

Defendant.

**ORDER ADOPTING MAGISTRATE JUDGE'S PROPOSED FINDINGS
AND RECOMMENDED DISPOSITION**

THIS MATTER is before the Court on Magistrate Judge Lourdes A. Martínez' *Proposed Findings and Recommended Disposition* (Doc. 45) (hereinafter "PF&RD"), filed on August 6, 2014, which recommended granting in part and denying in part without prejudice Plaintiff's *Motion for Order to Show Cause and Reopening of Judgment Pursuant to FRCP 60b(6)* (Doc. 37). No party has filed objections to the PF&RD and the deadline for filing objections has passed. The Court has determined that it will adopt the *PF&RD* (Doc. 45), and grant in part and deny in part without prejudice Plaintiff's *Motion for Order to Show Cause and Reopening of Judgment Pursuant to FRCP 60b(6)* (Doc. 37), as set forth in the PF&RD.

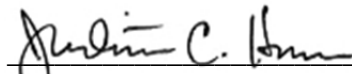
IT IS THEREFORE ORDERED that the *Proposed Findings and Recommended Disposition* (Doc. 45) are **ADOPTED** by the Court.

IT IS FURTHER ORDERED that Plaintiff's *Motion for Order to Show Cause and Reopening of Judgment Pursuant to FRCP 60b(6)* (Doc. 37) is **GRANTED in part**, and Defendant shall (1) hold Plaintiff's hearing **no later than November 13, 2014**, (2) offer Plaintiff any earlier hearing slot that becomes available, and (3) consider assigning Plaintiff's case to a

different ALJ or conducting Plaintiff's hearing by videoconference if either of those actions would result in an earlier hearing date.

IT IS FURTHER ORDERED that Plaintiff's motion is **DENIED without prejudice** as to all other requested relief.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read "Judith C. Herrera", is written over a horizontal line.

HONORABLE JUDITH C. HERRERA
UNITED STATES DISTRICT JUDGE